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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

THE SECRETARY - ROOM 222

25 FEB 1993

IN REPLY REFER TO:  
7330-7/1700A3

Honorable Earl Hutto  
Member, U.S. House of  
Representatives  
Post Office Box 17689  
Pensacola, Florida 32522

Dear Congressman Hutto:

This is in reply to your letter of February 12, 1993, in which you inquired on behalf of your constituent, Manuel J. ~~Torres~~, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Torres is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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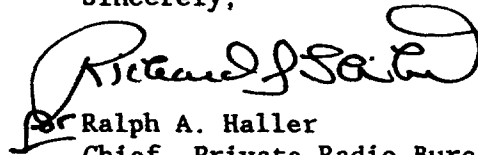
Honorable Earl Hutto

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,



Ralph A. Haller  
Chief, Private Radio Bureau

Enclosures:  
Notice  
Order  
Discussion paper

cc:  
Chief, PRBureau  
Chief, LM&M Divison  
Docket Files, Room 222  
P&P Branch File (Pink)

CNTL NO - 9300655

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# Congressional

DUE OBC: 2-25-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,  
AND REPLY FOR DOCKET FILE, ROOM 222.

## CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/17/93

### LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300655	02/17/93	02/12/93	03/02/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Earl Hutto	BC

CONSTITUENT'S NAME	SUBJECT
Manuel J Torres	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/lmm			

2-18-93

DATE	DATE	DATE	DATE
02/17/93			

REMARKS: Respond to the Pensacola, FL office.  
Contact person: Ruby Boyd, 904-478-1123.

EARL HUTTO  
1ST DISTRICT  
FLORIDA

2435 RAYBURN BUILDING  
WASHINGTON, DC 20515  
(202) 225-4136

COMMITTEES:  
ARMED SERVICES  
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Congress of the United States  
House of Representatives  
Washington, DC 20515

PRB  
92-235  
655

DISTRICT OFFICES:  
MADISON PARK  
4300 BAYOU BLVD., SUITE 25 A  
PENSACOLA, FL 32503  
(904) 478-1123

FEDERAL BUILDING  
PANAMA CITY, FL 32401  
(904) 762-0709

SHALIMAR COURTHOUSE ANNEX  
SHALIMAR, FL 32579  
(904) 651-3111

February 12, 1993

Ms. Ellen Rafferty  
Congressional Liaison  
Federal Communications Comm.  
1919 M Street, N. W.  
Washington, D. C. 20554

Dear Ms. Rafferty:

The attached communication is submitted for your consideration, and to ask that the request made therein be complied with, if possible.

If you will advise me of your action in this matter and have the letter returned to me with your reply, it will be appreciated. Please reply to:

Post Office Box 17689  
Pensacola, Florida 32522

If you have any questions, please contact my caseworker, Ruby Boyd, at 904 478-1123.

With warm regards.

Sincerely,

  
Earl Hutto

EH/rlb

The Honorable Earl Hutto  
4300 Bayou Blvd.  
Suite 25-A  
Pensacola, FL 32503

RECEIVED

February 8, 1993

FEB 10 1993

EARL HUTTO, M.C

Dear Mr. Hutto:

I am a Naval Aviator and Electrical Engineer. I would like to momentarily draw your attention towards protecting an important pastime for Americans of all age groups. I find this cause important because there are not many educational and "Intelligence-stimulating" pastimes for our present citizens. Nintendo and TV viewing are currently the most popular forms of entertainment for our future leaders. One of the few "smart" pastimes we have left is being threatened: Model Airplanes.

I am concerned about the proposed rules that are currently under consideration by the Federal Communications Commission (FCC). I am referring to PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used commercially by mobile dispatch operations. However, our radio control frequencies are currently far apart enough from the mobile land frequencies that we have been able to share the band without either use interfering with the other.

However, the FCC now wants to create more frequencies by splitting channels into narrower bandwidths, and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and will cause dangerous interference to radio control operations. Of the 50 frequency channels that are presently available for radio control of model airplanes, only 19 channels will be left if these new rules are adopted. This would render 62% of our costly and hard-earned radio control units illegal and unusable!

When we fly our models, we go to great lengths to assure the safety of bystanders and our expensive, hand-made model because the risks involved with propellers, fuel, etc. Please understand that although these planes are models, they operate at speeds, and even weights, that can make them as deadly as their full-scale counterparts should a pilot loose control through momentary interference of his equipment.

If the number of usable frequencies is reduced as planned, the frequencies left will become congested and the margin of safety will be greatly reduced. Additionally, careful inspection of the FCC plans allows for mobile radio tolerances (slop..) which place

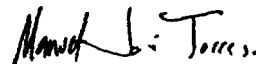
their frequencies in our band. Because these units are mobile, and their location thereby unpredictable, you can easily see that our spectators and equipment are being put at great risk.

I do not think it is wise nor fair of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC is expecting us to dispose of our finely tuned, paid-for, and operating equipment instead forcing better quality and tolerances from mobile radios not yet manufactured. The mobile radio channels could easily be doubled in number. All it takes is for them to do their homework before they build the equipment.

The hobby provides many hours of enjoyment for thousands of people like myself, and contributes significantly to the development of the Aviation and Space Technology Industry by motivating minds of all ages to experiment. Please remember that the most important inventions of our century in the fields of transportation, engine technology, alternate fuels, materials, and even clothing (dacron, velcro) were developed by minds in the aviation community. We must not hamper new, fresh minds from being motivated to follow man's most recurring dream: To FLY.

Please help us continue the safe enjoyment of our pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz Band.

Sincerely,

A handwritten signature in dark ink, appearing to read "Manuel J. Torres". The signature is fluid and cursive, with the first name "Manuel" and last name "Torres" clearly distinguishable.

Manuel J Torres  
1250 Berry Hill Rd. #4J  
Milton, FL 32570